

WILLIAM D. SUTHERLAND
)
Plaintiff,

v.
1:07cv557 (JCC/TCB)
et al.,
Defendants.

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

- (1) Defendants' Motion to Dismiss is GRANTED in part and DENIED in part;
 - (2) Defendants' Motion to Dismiss Count I is DENIED;
- (3) Defendant's Motion to Dismiss Plaintiff's Claim for Emotional Pain and Distress Damages is GRANTED;
- (4) the Clerk of the Court shall forward copies of this Order and the accompanying Memorandum Opinion to all counsel of record.

August 10, 2007 Alexandria, Virginia James C. Cacheris United States District Judgs